

Introduced by Senator Liu

January 18, 2011

An act to amend Section 17558 of the Government Code, relating to state mandates.

LEGISLATIVE COUNSEL'S DIGEST

SB 112, as introduced, Liu. State mandates: claiming instructions.

Existing law requires the Commission on State Mandates to submit adopted parameters and guidelines to the Controller. Existing law requires the Controller, within 60 days after receiving the adopted parameters and guidelines from the commission, to issue claiming instructions for each mandate that requires state reimbursement, and within 60 days after receiving amended parameters and guidelines, to prepare and issue revised claiming instructions for state mandates that require state reimbursement that have been established by the commission.

This bill would increase the amount of time to within 90 days after receiving the adopted parameters and guidelines or amended parameters and guidelines that the Controller is required to issue claim instructions for each state mandate that requires reimbursement, and to prepare and issue revised claiming instructions for state mandates.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17558 of the Government Code is
2 amended to read:

1 17558. (a) The commission shall submit the adopted
2 parameters and guidelines or a reasonable reimbursement
3 methodology approved pursuant to Section 17557.2 to the
4 Controller. As used in this chapter, a “reasonable reimbursement
5 methodology” approved pursuant to Section 17557.2 includes all
6 amendments to the reasonable reimbursement methodology. When
7 the Legislature declares a legislatively determined mandate in
8 accordance with Section 17573 in which claiming instructions are
9 necessary, the Department of Finance shall notify the Controller.

10 (b) Not later than ~~60~~ 90 days after receiving the adopted
11 parameters and guidelines, a reasonable reimbursement
12 methodology from the commission, or notification from the
13 Department of Finance, the Controller shall issue claiming
14 instructions for each mandate that requires state reimbursement,
15 to assist local agencies and school districts in claiming costs to be
16 reimbursed. In preparing claiming instructions, the Controller shall
17 request assistance from the Department of Finance and may request
18 the assistance of other state agencies. The claiming instructions
19 shall be derived from the test claim decision and the adopted
20 parameters and guidelines, reasonable reimbursement methodology,
21 or statute declaring a legislatively determined mandate.

22 (c) The Controller shall, within ~~60~~ 90 days after receiving
23 amended parameters and guidelines, an amended reasonable
24 reimbursement methodology from the commission or other
25 information necessitating a revision of the claiming instructions,
26 prepare and issue revised claiming instructions for mandates that
27 require state reimbursement that have been established by
28 commission action pursuant to Section 17557, Section 17557.2,
29 or after any decision or order of the commission pursuant to Section
30 17559, or after any action by the Legislature pursuant to Section
31 17573. In preparing revised claiming instructions, the Controller
32 may request the assistance of other state agencies.